

sion of Occupied-Area Economic Affairs, under the general direction of the Assistant Secretary—Economic Affairs, and in accordance with current general policies of the Department, shall be responsible for negotiating for and accepting on behalf of the United States Government both property and funds allocated to the United States as reparations payments. The Chief of the Division of Occupied-Area Economic Affairs, acting for the Department of State as the owning agency in case of physical property, will declare such property surplus, when appropriate, and make it available to the proper disposal agency subject to such special considerations as are contained in the international agreements under which such property is allocated to the United States. Funds received, either directly as reparations payments or as a result of sales of physical property, will be deposited in a special account in the United States Treasury. More specifically, the Chief of Division shall:

(a) Arrange, in cooperation with appropriate officials of the Department of Commerce, to establish and chair an Interdepartmental Advisory Committee on Reparations Property for the purpose of securing the advice and recommendations of other interested Government agencies.

(b) Receive data provided by the Allied Control Council (ACC) and the Inter-Allied Reparation Agency (IARA) with respect to properties which become available as reparations and transmit it to the secretariat of the Interdepartmental Advisory Committee for circularization to all interested United States agencies and business firms.

(c) Determine the properties to be sought for allocation to the United States as reparations on the basis of the recommendations of the Interdepartmental Advisory Committee, and conduct necessary correspondence with the Allied Control Council (ACC), Inter-Allied Reparation Agency (IARA), and such other agencies or governments as may be appropriate.

(R. S. 161; 5 U. S. C. 22) [Dept. Reg. 108.29, 11 F. R. 12609, as amended by Dept. Reg. 108.58, 12 F. R. 8152. Redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

§ 90.31 *Redelegation of authority to accept reparations payment.* The authority granted to the Chief of the Division of Occupied-Area Economic Affairs under § 90.30 may be redelegated to ap-

propriate officials of the United States Government.

(R. S. 161; 5 U. S. C. 22) [Dept. Reg. 108.58, 12 F. R. 8152. Redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

Part 95—Aid to War-Devastated Countries

Subpart A—Regulations of the President

Sec.

- 95.1 Regulations for carrying out the provisions of the act entitled "An Act to Provide for Assistance to Greece and Turkey."
- 95.2 Regulations for carrying out the provisions of the joint resolution entitled "Joint Resolution Providing for Relief Assistance to the People of Countries Devastated by War."
- 95.3 Providing for the administration of the Foreign Aid Act of 1947.
- 95.4 Providing for carrying out the Foreign Assistance Act of 1948.
- 95.5 Authorizing the Department of State to administer certain functions under the Foreign Assistance Act of 1948.

Subpart B—Regulations of the Secretary of State

- 95.101 Authorization for ocean transportation.
- 95.102 The Advisory Committee on Voluntary Foreign Aid.

SUBPART A—REGULATIONS OF THE PRESIDENT

§ 95.1 *Regulations for carrying out the provisions of the act entitled "An Act to Provide for Assistance to Greece and Turkey"*—(a) *Authorization to Secretary of State.* Subject to such policies as the President may from time to time prescribe, the Secretary of State is hereby authorized, through such departments, agencies, and independent establishments of the Government as he may designate, to exercise any power or authority conferred upon the President by the act, including expenditure of funds made available for the purposes of the act.

(b) *Functions and authority of Chief of Mission.* The Chief of Mission to Greece or Turkey appointed by the President pursuant to section 8 of the act (Pub. Law 75, 80th Cong., 61 Stat. 103) shall, under the guidance and instructions of the Secretary of State, direct United States activities within Greece or Turkey, as the case may be, in furnishing assistance under the act. The Secretary of State may delegate to the

Chief of Mission such powers or authority conferred by this section as he may deem necessary and proper to the effective carrying out of the provisions of the act and of the basic agreement with the Government of Greece or Turkey, as the case may be, setting forth the general terms and conditions under which assistance is to be furnished.

(c) *Inter-agency cooperation.* The Secretary of State shall provide, and at his request other departments, agencies, independent establishments, and officers of the Government shall cooperate in providing to the extent considered feasible in keeping with their other established governmental responsibilities and to the extent that funds may be available therefor, such personnel, together with their compensation, allowances, and expenses, and such administrative supplies, facilities, and services as may be necessary and proper to the effective carrying out of the provisions of the act.

(d) *Authority to be exercised by Secretary of State.* Subject to the provisions of paragraph (b) of this section, the powers and authority conferred upon the Secretary of State by this section shall be exercised by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of State as he may designate, in the interest of effective administration and proper coordination of functions under the act.

(e) *Responsibilities of other agencies.* The Secretary of State shall make appropriate arrangements with the Secretaries of the Army and the Navy, and the heads of other Government departments, agencies, and independent establishments concerned, in order to enable them to fulfill their responsibilities under the act.

(Sec. 5, 61 Stat. 105; 22 U. S. C., Sup., 1405)
[E. O. 9857, May 22, 1947, 12 F. R. 3331, redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

§ 95.2 *Regulations for carrying out the provisions of the joint resolution entitled "Joint Resolution Providing for Relief Assistance to the People of Countries Devastated by War."* (a) The Secretary of State is hereby authorized:

(1) To exercise the authority vested in the President by sections 2, 3, and 4 of the joint resolution, except with respect to the appointment of the field administrator pursuant to section 4.

(2) To take such other action, not inconsistent with the authority reserved to the President, as may be necessary for providing relief assistance in accordance with the terms of the joint resolution, including the making of such arrangements with the heads of other Executive departments, agencies, and independent establishments of the Government as may be necessary and proper for carrying out the provisions of the joint resolution.

(3) To exercise the authority vested in him by this order directly or through the field administrator appointed pursuant to section 4 of the joint resolution or through such officers and employees of the Department of State, including those of the Foreign Service, as he may designate to act on his behalf.

(b) The field administrator shall act under the guidance and in accordance with the instructions of the Secretary of State.

(Sec. 4, 61 Stat. 127; 22 U. S. C., Sup., 1414)
[E. O. 9864, May 31, 1947, 12 F. R. 3559, redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

CROSS REFERENCE: For an amendment to E. O. 9864 transferring certain functions involving the administration of aid and relief for people of certain countries from the Secretary of State to the Administrator of Economic Cooperation, see E. O. 9960, 3 CFR, 1948 Supp.

§ 95.3 *Providing for the administration of the Foreign Aid Act of 1947.* (a) The Secretary of State is hereby authorized and directed:

(1) To perform the functions and exercise the powers and authority vested in the President by the Foreign Aid Act of 1947 (hereinafter referred to as the act), exclusive of sections 11 (b) and 11 (d) thereof: *Provided, That:*

(i) In designating, under section 3 of the act, the existing departments, agencies, or independent establishments of the Government through which certain functions, powers, and authority under the act shall be performed or exercised, the Secretary shall act with the concurrence of the department, agency, or establishment concerned in each case.

(ii) In promulgating, under section 4 of the act, any regulations controlling the purchase or procurement of commodities, and in promulgating, under section 10 of the act, any rules and regulations necessary and proper to carry out any of the provisions of the act, the

Secretary shall, to the extent that any such rule or regulation affects the operations of any agency, establishment, or department other than the Department of State, act with the concurrence of the agency, establishment, or department concerned in each case.

(iii) In making the determinations, required under paragraphs 2 and 3 of section 4 of the act, whether commodities to be purchased or procured under the act are in short supply in the United States, the Secretary of State shall act on the advice of the heads of the appropriate departments, agencies or establishments.

(iv) In making the determinations required under subsection (e) of section 11 of the act, whether a commodity required by any agency of the Government under any price support program is in excess of domestic requirements, the Secretary of State shall act on the advice of the Secretary of Agriculture; and such determinations shall be restricted to those necessary in connection with aid to the recipient countries, as defined in the act.

(2) To take such other action, not inconsistent with the act and this order, as may be necessary to provide aid in accordance with the provisions of the act, including the making of provisions for such personnel, supplies, facilities, and services as shall be necessary to carry out the provisions of this order, and the making of such arrangements with other departments, agencies and independent establishments of the Government and with other countries and international organizations as may be necessary and proper for carrying out the provisions and accomplishing the purposes of the act.

(b) The field administrator referred to in section 10 of the act, in exercising his responsibility for administering in the recipient countries the program of assistance provided for in the act, shall act under the guidance and in accordance with the instructions of the Secretary of State.

(c) All funds appropriated to carry out the provisions of the act by the Third Supplemental Appropriation Act, 1948 (such funds being in the amount of \$522,000,000), are hereby transferred to the Department of State, to be ad-

ministered in accordance with the provisions of the act (as implemented by this order) and of the said appropriation act.

(61 Stat. 934) [E. O. 9914, Dec. 26, 1947, 12 F. R. 8867, redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

CROSS REFERENCE: For an amendment to E. O. 9914 transferring certain functions involving the administration of aid and relief for people of certain countries from the Secretary of State to the Administrator of Economic Cooperation, see E. O. 9960, 3 CFR, 1948 Supp.

§ 95.4 *Providing for carrying out the Foreign Assistance Act of 1948.* (a) The Administrator for Economic Cooperation is hereby authorized and directed to make appropriate allocations, for the purposes of titles I and IV of the act except section 404 (b) of title IV, to any department, agency, or establishment of the Government, from such funds as shall be made available to the Economic Cooperation Administration by the President out of funds advanced by the Reconstruction Finance Corporation and out of appropriated funds.

(b) It is hereby determined, pursuant to sections 119 and 403 of the act, that the performance of the functions authorized under titles I and IV of the act without regard to the following laws will further the purposes of the said titles I and IV:

15 U. S. C. 616a (48 Stat. 500)

31 U. S. C. 529 (sec. 3648, Revised Statutes, as amended)

41 U. S. C. 5 (sec. 3709, Revised Statutes, as amended)

41 U. S. C. 8 (sec. 3710, Revised Statutes)

41 U. S. C. 10a (47 Stat. 1520)

41 U. S. C. 13 (sec. 3735, Revised Statutes)

46 U. S. C. 1241 (49 Stat. 2015)

(62 Stat. 137) [E. O. 9943, 13 F. R. 1975]

§ 95.5 *Authorizing the Department of State to administer certain functions under the Foreign Assistance Act of 1948.* The Secretary of State is hereby authorized and directed to perform the functions of the President under the International Children's Emergency Fund Assistance Act of 1948 and under the Greek-Turkish Assistance Act of 1948 (being titles II and III of the Foreign Assistance Act of 1948, respectively). The said title III shall be administered in accordance with the provisions of Executive Order 9857 of May 22, 1947 (3 CFR, 1947 Supp.) entitled "Regulations

for Carrying out the Provisions of the Act Entitled 'An Act to provide for assistance to Greece and Turkey'".

(R. S. 202, 62 Stat. 137; 5 U. S. C. 156) [E. O. 9944, 13 F. R. 1975]

SUBPART B—REGULATIONS OF THE SECRETARY OF STATE

§ 95.101 *Authorization for ocean transportation.* Payment for ocean transportation of relief supplies donated to or purchased by American voluntary and non-profit relief agencies shall be authorized or approved only when:

(a) The applicant is recorded with the Advisory Committee on Voluntary Foreign Aid, on forms specifically provided therefor, as an American voluntary and non-profit relief agency which is not engaged in commercial or political activities, is governed by an active and responsible body of American citizens who serve without compensation, whose accounts are audited by a Certified Public Accountant and which currently reports its activities and operations to the Committee for public inspection, including programs, projects, budgets, income and expenditures, transfers of funds and exports of commodities abroad, supplemented by such other information as the Committee may deem necessary.

(b) The applicant has obtained assurances from the Government of the country in which the supplies are to be distributed that appropriate facilities are afforded for the necessary and economical operations of the program; the Advisory Committee approves the applicant as competent to carry out the program; and the applicant's consignees are acceptable to the Advisory Committee.

(c) The supplies are to be distributed to persons who are eligible to receive general relief assistance from the appropriation "Relief Assistance to War-Devastated Countries" or the appropriation "Government and Relief in Occupied Areas", contained in "The Supplemental Appropriation Act, 1948", and who are in countries or areas receiving such assistance.

(d) The supplies shipped are in such quantities and kinds and for such purposes as to constitute essential supplements to the supplies specified for general relief assistance in the act of May 31, 1947.

(e) The charges claimed for reimbursement are for actual transportation

of the supplies from shipside at port of loading to end of ship's tackle at port of discharge as correctly assessed by the carrier for freight on a weight measurement, or unit basis, and free of any other charges except surcharges for such transportation as may be currently in effect; *Provided*, That when other funds or services are not available, claims may be made for necessary expenses incurred at port of shipment for transfer, repacking, stevedoring, and other handling costs, by American voluntary and non-profit relief agencies specifically authorized to incur such charges.

(f) The applicant has provided satisfactory assurances that:

(1) The supplies essentially supplement the supplies provided for general relief assistance by the United States.

(2) The supplies are free of customs duties, other duties, tolls, and taxes, and are treated as supplementary to, rather than a substitute for, the regular rations in the country of consumption.

(3) The full responsibility is assumed for the non-commercial distribution of the supplies free of cost to the person ultimately receiving them, and that distribution is under the supervision of American personnel.

(4) The supplies are, to the extent practicable, identified as to their American origin, and that all practical steps are taken at the time of distribution to inform the ultimate consumer that such supplies have been freely provided by a voluntary agency of the United States of America.

(61 Stat. 125, 613, E. O. 9864, May 31, 1947, 12 F. R. 3559; 3 CFR, 1947 Supp., as amended by E. O. 9960, May 19, 1948, 13 F. R. 2707, 3 CFR, 1948 Supp.) [Dept. Reg. 108.54, 12 F. R. 7354, as amended by Dept. Reg. 108.55, 12 F. R. 7901, redesignated by Dept. Reg. 108.62, 12 F. R. 8773, further redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

§ 95.102 *The Advisory Committee on Voluntary Foreign Aid.* The Advisory Committee on Voluntary Foreign Aid, appointed by the Secretary of State and the Secretary of Agriculture jointly on May 14, 1946, at the request of the President, to succeed the President's War Relief Control Board, is hereby authorized and empowered:

(a) To receive applications for reimbursement, on forms specifically provided therefor, together with such other docu-

ments as may be required by the Government of the United States as evidence of payments for the cost of ocean transportation by claimant agencies.

(b) To review such applications at the close of the first quarter of the fiscal year ending June 30, 1948, and thereafter at the close of each succeeding month during the fiscal year 1948 in which the supplies are shipped, in relation to:

(1) The fulfillment of the conditions set forth in § 95.101.

(2) The equitable apportionment of the funds available among the respective claimant agencies.

(c) To certify or withhold certification for payment, in whole or in part, applications of the claimant agencies for reimbursement.

(61 Stat. 125, 613, E. O. 9864, May 31, 1947, 12 F. R. 3559, 3 CFR, 1947 Supp., as amended by E. O. 9960, May 19, 1948, 13 F. R. 2707, 3 CFR, 1948 Supp.) [Dept. Reg. 108.54, 12 F. R. 7354, redesignated by Dept. Reg. 108.62, 12 F. R. 8773, further redesignated by Dept. Reg. 108.77, 13 F. R. 6349]

Part 100—Examinations for the Appointment of Foreign Service Officers

- Sec.
- 100.1 Examinations for appointment as Foreign Service officer.
 - 100.2 Designation to take examination.
 - 100.3 The written examination.
 - 100.4 The oral examination.
 - 100.5 The physical examination.
 - 100.6 Affiliations.
 - 100.7 Expenses of candidates.
 - 100.8 Examinations for appointment to Class 6.
 - 100.9 Examinations for appointment to Class 5.
 - 100.10 Examinations for appointment to Class 1-4, inclusive.

AUTHORITY: §§ 100.1 to 100.10 issued under sec. 212, 60 Stat. 1001; 22 U. S. C. 827.

SOURCE: §§ 100.1 to 100.10 contained in Departmental Regulation 108.71, 13 F. R. 3483.

§ 100.1 *Examinations for appointment as Foreign Service officer.* Eligibility for appointment to the Foreign Service as Foreign Service officer will be established by examination.

§ 100.2 *Designation to take examination.* (a) No person will be eligible to take an examination for appointment as

Foreign Service officer unless he has been specifically designated by the Board of Examiners for a particular examination.

(b) A candidate who fails to report for the examination for which he has been designated will not be admitted to a subsequent examination unless specifically designated to take such subsequent examination.

(c) No person will be designated to take an examination for appointment as Foreign Service officer who is not an American citizen and who has not been such for at least 10 years immediately preceding application for designation.

(d) No person whose spouse is not an American citizen will be designated to take the examination for appointment as Foreign Service officer, and no person whose spouse is not an American citizen will be certified as eligible for appointment as Foreign Service officer.

§ 100.3 *The written examination.*

(a) The written examination will be designed to test the candidate's intelligence and to determine the degree and quality of his education.

(b) The scope and nature of the written examination will be determined from time to time by the Board of Examiners.

(c) Applications for designation to take the written examination, submitted on the appropriate form provided by the Board of Examiners, must be in the hands of the Board on or about July 1 at a date fixed from year to year by the Board.

(d) The written examination is held annually in September on dates fixed from year to year by the Board of Examiners.

(e) The written examination is held at Civil Service examination centers in approximately 20 of the principal cities of the United States and at American diplomatic missions and consular posts abroad.

(f) The several parts of the written examination will be graded on a scale of 100 in accordance with procedures determined from time to time by the Board of Examiners.

§ 100.4 *The oral examination.* (a) The oral examination will be designed to determine the candidate's suitability for the Service in respect to character, personality, ability to profit from ex-